

§ 523.4

which are manufactured during the 2011 model year or thereafter.

(Sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976)

[42 FR 38362, July 28, 1977, as amended at 43 FR 12013, Mar. 23, 1978; 44 FR 4493, Jan. 2, 1979; 71 FR 17676, Apr. 6, 2006; 74 FR 14449, Mar. 30, 2009]

§ 523.4 Passenger automobile.

A passenger automobile is any automobile (other than an automobile capable of off-highway operation) manufactured primarily for use in the transportation of not more than 10 individuals.

(Sec. 301, Pub. L. 94-163, 80 Stat. 901 (15 U.S.C. 2001))

[42 FR 38362, July 28, 1977]

§ 523.5 Non-passenger automobile.

A non-passenger automobile means an automobile that is not a passenger automobile or a work truck and includes vehicles described in paragraphs (a) and (b) of this section:

(a) An automobile designed to perform at least one of the following functions:

- (1) Transport more than 10 persons;
- (2) Provide temporary living quarters;
- (3) Transport property on an open bed;
- (4) Provide, as sold to the first retail purchaser, greater cargo-carrying than passenger-carrying volume, such as in a cargo van; if a vehicle is sold with a second-row seat, its cargo-carrying volume is determined with that seat installed, regardless of whether the manufacturer has described that seat as optional; or

(5) Permit expanded use of the automobile for cargo-carrying purposes or other nonpassenger-carrying purposes through:

(i) For non-passenger automobiles manufactured prior to model year 2012, the removal of seats by means installed for that purpose by the automobile's manufacturer or with simple tools, such as screwdrivers and wrenches, so as to create a flat, floor level, surface extending from the forwardmost point

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of installation of those seats to the rear of the automobile's interior; or

(ii) For non-passenger automobiles manufactured in model year 2008 and beyond, for vehicles equipped with at least 3 rows of designated seating positions as standard equipment, permit expanded use of the automobile for cargo-carrying purposes or other non-passenger-carrying purposes through the removal or stowing of foldable or pivoting seats so as to create a flat, leveled cargo surface extending from the forwardmost point of installation of those seats to the rear of the automobile's interior.

(b) An automobile capable of off-highway operation, as indicated by the fact that it:

- (1)(i) Has 4-wheel drive; or
- (ii) Is rated at more than 6,000 pounds gross vehicle weight; and

(2) Has at least four of the following characteristics calculated when the automobile is at curb weight, on a level surface, with the front wheels parallel to the automobile's longitudinal centerline, and the tires inflated to the manufacturer's recommended pressure—

- (i) Approach angle of not less than 28 degrees.
- (ii) Breakover angle of not less than 14 degrees.
- (iii) Departure angle of not less than 20 degrees.
- (iv) Running clearance of not less than 20 centimeters.
- (v) Front and rear axle clearances of not less than 18 centimeters each.

(Sec. 9, Pub. L. 89-670, 80 Stat. 981 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegation of authority at 41 FR 25015, June 22, 1976.)

[74 FR 14449, Mar. 30, 2009]

§ 523.6 Heavy-duty vehicle.

(a) A heavy-duty vehicle is any commercial medium- and heavy-duty on highway vehicle or a work truck, as defined in 49 U.S.C. 32901(a)(7) and (19). For the purpose of this part, heavy-duty vehicles are divided into three regulatory categories as follows:

- (1) Heavy-duty pickup trucks and vans;
- (2) Heavy-duty vocational vehicles; and

(3) Truck tractors with a GVWR above 26,000 pounds.

(b) The heavy-duty vehicle classification does not include:

(1) Vehicles defined as medium duty passenger vehicles.

(2) Vehicles excluded from the definition of "heavy-duty vehicle" because of vehicle weight or weight rating (such as light duty vehicles as defined in § 523.5).

(3) Vehicles excluded from the definition of motor vehicle in 40 CFR 85.1703.

[76 FR 57491, Sept. 15, 2011]

EFFECTIVE DATE NOTE: At 76 FR 57491, Sept. 15, 2011, § 523.6 was added, effective November 14, 2011.

§ 523.7 Heavy-duty pickup trucks and vans.

Heavy-duty pickup trucks and vans are pickup trucks and vans with a gross vehicle weight rating between 8,501 pounds and 14,000 pounds (Class 2b through 3 vehicles) manufactured as complete vehicles by a single or final stage manufacturer or manufactured as incomplete vehicles as designated by a manufacturer. A manufacturer may also optionally designate incomplete or complete Class 4 or 5 vehicles as heavy-duty pickup trucks or vans or spark-ignition (or gasoline) engines certified and sold as loose engines manufactured for use in heavy-duty pickup trucks or vans. See references in 40 CFR 1037.104 and 40 CFR 1037.150.

[76 FR 57491, Sept. 15, 2011]

EFFECTIVE DATE NOTE: At 76 FR 57491, Sept. 15, 2011, § 523.7 was added, effective November 14, 2011.

§ 523.8 Heavy-duty vocational vehicle.

Heavy-duty vocational vehicles are vehicles with a gross vehicle weight rating (GVWR) above 8,500 pounds excluding:

(a) Heavy-duty pickup trucks and vans defined in § 523.7;

(b) Medium duty passenger vehicles; and

(c) Truck tractors, except vocational tractors, with a GVWR above 26,000 pounds;

[76 FR 57491, Sept. 15, 2011]

EFFECTIVE DATE NOTE: At 76 FR 57491, Sept. 15, 2011, § 523.8 was added, effective November 14, 2011.

§ 523.9 Truck tractors.

Truck tractors for the purpose of this part are considered as any truck tractor as defined in 49 CFR part 571 having a GVWR above 26,000 pounds.

[76 FR 57492, Sept. 15, 2011]

EFFECTIVE DATE NOTE: At 76 FR 57492, Sept. 15, 2011, § 523.9 was added, effective November 14, 2011.

PART 525—EXEMPTIONS FROM AVERAGE FUEL ECONOMY STANDARDS

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525.12 Public inspection of information.

AUTHORITY: 15 U.S.C. 2002; 49 CFR 1.50.

SOURCE: 42 FR 38376, July 28, 1977, unless otherwise noted.

§ 525.1 Scope.

This part establishes procedures under section 502(c) of the Motor Vehicle Information and Cost Savings Act, as amended (15 U.S.C. 2002) for the submission and disposition of petitions filed by low volume manufacturers of passenger automobiles to exempt them from the average fuel economy standards for passenger automobiles and to establish alternative average fuel economy standards for those manufacturers.

§ 525.2 Purpose.

The purpose of this part is to provide content and format requirements for low volume manufacturers of passenger automobiles which desire to petition the Administrator for exemption from applicable average fuel economy standards and for establishment of appropriate alternative average fuel economy standards and to give interested persons an opportunity to present data,